

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yasuhiko (nmi) Aoki et al.
Serial No.: 10/629,021
Filing Date: July 28, 2003
Group Art No.: 2633
Confirmation No.: 7632
Examiner: Dzung D. Tran
Title: Optical Network with Sub-Band Rejection and Bypass

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

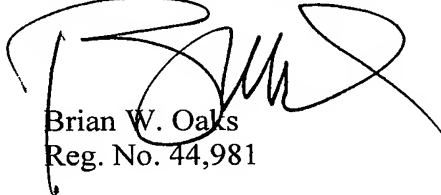
In response to the Office Action sent January 26, 2007, Applicants hereby elect Species 1 (Claims 2-4 and 14) for prosecution on the merits if no generic claim is finally held to be allowable. However, Applicants respectfully disagree with the Examiner that there are no generic claims. Claims 1, 13 and 20 are all generic. Thus, Applicants believe that the Examiner is required to consider claims 1, 2-4, 13, 14 and 20. If the Examiner agrees, Applicants make this election without traverse.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, Applicants invite the Examiner to call the undersigned Attorney for Applicants at 214.953.6986.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Brian W. Oaks
Reg. No. 44,981

Date: February 1, 2007

Correspondence Address

Customer Number

05073